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From • John F. Perullo

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Client/Matter Name

Client/Matter Number

Attorney Number

0506850.0123

5074

COMMENTS: Re: Serial No. 09/640,865, filed August 18, 2000**SEE ATTACHED REMARKS AFTER NOTICE OF ALLOWANCE**

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BOS-655815 v1 0506850-0123

PATENT
ATTORNEY'S DOCKET NO.: B0762/7003D1

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT: Adrian Ravenscroft et al. Confirmation No.: 5213
SERIAL NO.: 09/640,865
FILED: August 18, 2000
FOR: REMOVABLE EMBOLUS BLOOD CLOT FILTER AND FILTER
DELIVERY UNIT
EXAMINER: Vy Q. Bui
ART UNIT: 3731

CERTIFICATE OF FACSIMILE TRANSMISSION

I hereby certify that this correspondence is being transmitted by facsimile (703-872-9306) to Examiner Vy Q. Bui in Group Art Unit 3731 at the U.S. Patent and Trademark Office on January 23, 2004.

John F. Perullo
(Typed or Printed Name of Person Signing Certificate)

(Signature)

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P.O. BOX 1450
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Sir:

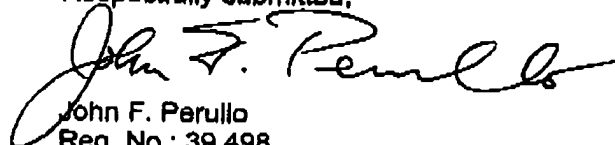
Transmitted herewith for filing is/are the following document(s):

[XX] Remarks After Notice of Allowance (with copies of two articles not considered)

If the enclosed papers are considered incomplete, the Mail Room and/or the Application Branch is respectfully requested to contact the undersigned collect at (617) 261-3100, Boston, Massachusetts.

A check in the amount of \$—— is enclosed to cover the filing fee. If the fee is insufficient, the balance may be charged to the account of the undersigned, Deposit Account No. 50-1721. A duplicate of this sheet is enclosed.

Respectfully submitted,



John F. Perullo
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ATTORNEY DOCKET NO.: B0762/7003D1
DATE: JANUARY 23, 2004

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REMARKS AFTER NOTICE OF ALLOWANCE

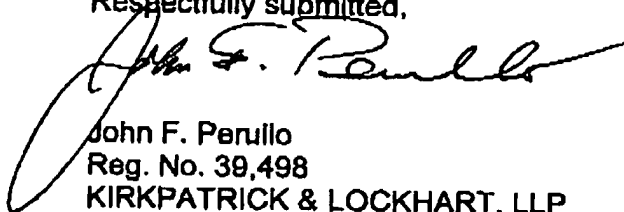
Sir:

Attached are two articles that were previously cited in an IDS filed on December 5, 2003, in the above-identified application. Because the two articles were previously cited in a parent application, additional copies of the articles were not provided in that IDS. Accompanying the notice of allowance mailed December 16, 2003, were copies of the 1449 form filed with our December 5, 2003, IDS indicating that the two articles were not considered. Additionally, a handwritten note on the 1449 form indicated that the references were "not in the file". Applicants maintain that the references were previously provided to the Patent Office and should be in the file. If the references have become lost from the file, applicants should not be penalized by being required to file

BOS-654798 v1 0506850-0123

an RCE with an IDS citing the references again now that a notice of allowance has been issued for the application. Applicants request consideration of the two articles in the current application prior to issuance of the patent so that the references will be cited on the face of the issued patent.

Respectfully submitted,



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Docket No.: B0762/7003D1
Date: January 23, 2004